

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 2:17-cv-14005

Plaintiff,

HONORABLE STEPHEN J. MURPHY, III

v.

ONE MILLION ONE
HUNDRED THIRTY-ONE
THOUSAND SEVEN
HUNDRED NINETY-TWO
DOLLARS (\$1,131,792.00) IN
U.S. CURRENCY, et al.,

Defendants *in rem*,

and

LONNIE STRIBLING,

Claimant.

_____ /

**ORDER ADOPTING REPORT
AND RECOMMENDATION [38], DENYING
PLAINTIFF'S MOTION TO STRIKE [25], AND RESETTING DATES**

On October 2, 2018, the Court stayed discovery pending resolution of Plaintiff's motion to strike Claimant Lonnie Stribling's claim to the Defendants *in rem*. On October 15, 2018, the Court referred an evidentiary hearing and the motion to strike to the magistrate judge for resolution. ECF 33. On March 18, 2019, the magistrate judge conducted the evidentiary hearing. On March 20, 2019, the magistrate judge filed her report and recommendation ("Report") and suggested that the Court deny Plaintiff's motion to strike. ECF 38. No party timely objected. The Court will adopt the Report, deny Plaintiff's motion to strike, and reset the case schedule.

The Report provides appropriate background and the Court adopts it here. *See* ECF 38, PgID 490–91.

Civil Rule 72(b) governs the review of a magistrate judge's report. A district court's review depends on whether a party files objection. The Court need not review portions of a report to which no party has objected. *See Thomas v. Arn*, 474 U.S. 140, 153 (1985). The Civil Rules require de novo review only if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). In conducting a de novo review, "[t]he district judge may accept, reject, or modify the recommend disposition; receive further evidence; or return the matter to the magistrate judge with instructions." Fed. R. Civ. P. 72(b)(3).

Because no party timely objected to the Report, the Court need not conduct a de novo review. The Court will adopt the magistrate judge's well-reasoned and legally-sound Report and will deny Plaintiff's motion to strike. The Court will also lift the stay of discovery and will reset the schedule for the case.

WHEREFORE, it is hereby **ORDERED** that the report and recommendation [38] is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's motion to strike [25] is **DENIED**.

IT IS FURTHER ORDERED that the stay on discovery is **LIFTED**.

IT IS FURTHER ORDERED that the deadlines for the case are **RESET**

as follows:

Discovery Ends:	July 8, 2019
Dispositive Motions Due:	August 7, 2019
Final Pretrial Conference:	January 8, 2020
Trial:	January 21, 2020

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 4, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 4, 2019, by electronic and/or ordinary mail.

s/ David P. Parker
Case Manager